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THE HON'BLE SRI JUSTICE P.S. NARAYANA

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W.P.No.11402 of 2004

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Dated 05th June 2006

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Between:

Mohammed Imran

…Petitioner

And:

The Commissioner,

Municipal Corporation of Hyderabad & another

… Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.11402 of 2004

ORDER:

The writ petition is filed praying for a writ of mandamus declaring Letter

No.RW/284/5/5/2003 dated 09.05.2003 and the proposed action of the respondents 1 and 2 to demolish the property of the petitioner bearing Municipal Door No.5-5-284, situated at Ek Minar Masjid at Darussalam Road, Nampally, Hyderabad for road widening programme, as highly illegal and arbitrary and contrary to Sections 146 and 147 of the Hyderabad Municipal Corporation Act and for such other suitable reliefs.

2. The main grievance ventilated by the petitioner is that the respondents are making serious attempts to proceed with the demolition activity without following due process of law. In view of the facts, which had been narrated by the petitioner in the affidavit filed in support of the writ petition, this court is of the considered opinion that the writ petition can be disposed of with the following direction.

3. The respondents are directed not to proceed with the demolition activity on the petitioner's property bearing Municipal House No.5-5-284 situated at Ek Minar Masjid at Darsussalam Road, Nampally, Hyderabad, except by following the due procedure. Accordingly, the writ petition is disposed of with the above direction. No order as to costs.

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P.S.NARAYANA, J.

Dt. 05.06.2006

BSS

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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W.P.No.11402 of 2004

5th June, 2006